

Bath & North East Somerset Council		
MEETING/ DECISION MAKER:	Climate Emergency and Sustainability Policy Development & Scrutiny Panel	
MEETING/ DECISION DATE:	19 <sup>th</sup> September 2022	EXECUTIVE FORWARD PLAN REFERENCE:
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TITLE:	Gull Strategy 2022 and beyond?	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Draft? Gull Strategy		

## **1. THE ISSUE**

- 1.1** Gulls continue to be an issue for the residents of Bath and other communities where gull colonies have established.
- 1.2** Members of the public complain to the council that their sleep is disturbed by gulls, that gulls defaecate on their garden furniture and children's toys; gulls swoop to take food from people; and gulls swoop on people and their pets, particularly when protecting their chicks.
- 1.3** Other reports are received from members of the public to say that they are not affected by the gulls at all and that no action should be taken against them.

## **2. RECOMMENDATION**

- 2.1** The Panel is asked to note the contents of the presentation and make observations and recommendations that officers can implement during the remainder of the 2022 breeding season and for the planning of the 2023 breeding season.

## **3. THE REPORT**

- 3.1** Natural England have introduced Organisational Licenses to allow Local Authorities to take nests and eggs in situations where there is a real threat to public health or safety arising from that nest/gull and that non-lethal measures have already been tried or will not work. Further information is contained within the statutory considerations below.

- 3.2** Other measures such as removing nests and proofing against nesting once they've been abandoned, does not require a licence.
- 3.3** The Bath gull population in 2022 stands at 972 pairs according to the Gull count of 2022. This represents an increase of 16.4% since 2018 (i.e. a mean increase of 34 pairs per year at an annual rate of increase of about 4%). Midsomer Norton supported a minimum of 183 pairs & Keynsham (Ashmead Trading Estate) 98 pairs.
- 3.4** Numbers in Keynsham have risen by 30.1%. Numbers in Midsomer Norton have increased by 12.3%
- 3.5** The city centre remained stable whereas the Green Park and Locksbrook sectors saw increases of 13.6% and 79.8% respectively. Abbey, Kingsmead and Widcombe Wards hold 81% of the Bath gull population.
- 3.6** A Gull Strategy has been developed and is contained in appendix 1. The Strategy proposes 3 key aims to manage the impacts of urban gulls in B&NES:
- (1) Bring about disruptions to habitats to deter gulls from breeding;
  - (2) Reduce access to food sources, including street waste; and
  - (3) Engage with the public to garner support of residents, businesses and visitors in tackling this problem.
- 3.7** Offices will deliver a presentation to the Panel providing further information on each of the objectives underpinning the individual aims of:
- (1) Confirming the evidence base;
  - (2) Effective management of waste;
  - (3) Preventing nesting and providing effective treatments;
  - (4) Securing engagement of our key stakeholders;
  - (5) Creating the right property design; and
  - (6) Lobbying central government.
- 3.8** A working group of Councillors, Officers and members of the public has been convened and progress is being made in delivering the actions.
- 3.9** Action Taken in 2022: A relatively small budget of £44k has been provided to deliver the Gull Strategy in 2022. Currently, the gull officer's operational method has focused on three key elements: collecting evidence of threats to public health and safety; organising the removal of gull nests, eggs and relocation of chicks under licence; and working with contractors to design and install anti-perching and anti-nesting measures at existing and potential nest sites.
- 3.10** The Organisational Licence issued to Bath and North East Somerset authorises the removal of the following:

Species	Laying attempt 1	Laying attempt 2	Laying attempt 3
Herring Gull	<ul style="list-style-type: none"> <li>• 100 Nests</li> <li>• 21 Eggs OR Chicks</li> </ul>	<ul style="list-style-type: none"> <li>• 100 Nests</li> <li>• 15 Eggs</li> </ul>	<ul style="list-style-type: none"> <li>• 100 Nests</li> <li>• 6 Eggs</li> </ul>
Lesser Black-Backed Gull	<ul style="list-style-type: none"> <li>• 100 Nests</li> <li>• 45 Eggs OR Chicks</li> </ul>	<ul style="list-style-type: none"> <li>• 100 Nests</li> <li>• 30 Eggs</li> </ul>	<ul style="list-style-type: none"> <li>• 100 Nests</li> <li>• 15 eggs</li> </ul>

**3.11** To obtain the Organisational Licence, officers had to document and provide evidence of the endeavours already being made to prevent Gulls from causing issues locally. This included gull proof sacks, big belly bins, previous nest and egg removal and proofing schemes as well as an innovative laser trial on a large site in Midsomer Norton whereby a laser was deployed just before the nest laying season in 2022. The laser 'scanned' the roof of the factory, disrupting the gulls nesting there. It is estimated to have reduced the nesting sites there significantly in 2022. This was more practical than traditional preventative measures given the size and construction of the roofs.

**3.12** The total number of nests removed under the licence in 2022 are 48, with 72 eggs being removed and 69 live chicks being relocated. This is well within the limits allowable under the organisational licence. Further complaints were assessed to see whether action could be undertaken under the licence, however the licence conditions could not be satisfied in those cases. In situations such as this, proofing works have been either recommended or arranged. This enables the householder or the council to take action next year if there is a further nest, and the licence conditions can be met.

**3.13** Proofing: The proofing schemes currently being developed are co-funded schemes between the Council and property owners where the former covers the cost of access and contributes to labour costs. In this way, the gull proofing measures are more affordable to property owners, and also to the Council because return visits to remove nests and eggs may be avoided. It is also a licence requirement of Natural England that sites where nest and egg removal have taken place must be 'proofed' against further nesting where it is technically and financially possible. The gull officer is also liaising with commercial organisations such as the managing agents of the Bath Riverside residential estate to facilitate the installation of gull netting on vulnerable roofs.

**3.14** A call to action was issued, and there are further details on our website where residents and businesses were and are still) encouraged to '*proof your roof*'. The purpose of this is to prevent gulls from nesting in the first instance. If successful in and of itself, that is a positive outcome, but if not, it supports any future application to Natural England to support a request for more direct intervention.

**3.15** A further approach begun this year has been movement towards establishing high intensity gull management zones. In these, deterrent action such as hawking, licensed nest and egg removal and reactive and proactive gull proofing would take place in concert within certain parts of the city to achieve the greatest effect. A possible 'Milsom Street Quarter' gull management zone might be included within this strategy. Predatory swooping and food snatching in the city centre by gulls apparently specialising in this form of behaviour are also being investigated, and a scheme is being developed to spike certain predatory sighting locations such as lampposts.

**3.16** Most complaints have been geographically focused on Westmoreland Ward and the city centre. Late season complaints have also been received from areas outside Bath, including from those living close to industrial sites in Midsomer Norton and Radstock. Evidence of threats to public health and/or public safety has been collected from these outlying locations in order that the Council's licensed gull management activities can take place there in 2023.

**3.17** By the end of the year, B&NES Council should have sufficient evidence to potentially significantly extend its licensed gull management actions both quantitatively and geographically. This will have budgetary implications if such more extensive action is to be taken.

#### **4. STATUTORY CONSIDERATIONS**

**4.1** Any activity that interferes with live gulls, unhatched eggs or their nest (whilst in use) has to be undertaken in line with the Organisational Licence as issued by Natural England. Several requirements have to be met, notably that non-lethal measures have been either been tried and have not been effective or that they are not practicable and that the action is necessary in order to preserve public health or public safety.

#### **5. RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

**5.1** £44k is the allocated budget to deliver the gull strategy in 2022. The Gull strategy is being delivered by a dedicated part time officer (£16k fixed term for 1 year).

**5.2** £7.1k has been spent on nest and egg removal works, with the remainder being allocated to gull deterrent works and hawk flying.

#### **6. RISK MANAGEMENT**

**6.1** A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

#### **7. EQUALITIES**

**7.1** An EQIA has been completed and no adverse impacts have been identified.

#### **8. CLIMATE CHANGE**

**8.1** There are no climate change implications to the gull strategy.

#### **9. OTHER OPTIONS CONSIDERED**

**9.1** The authority could 'do nothing', and not apply for an organisational licence in order to deal with gull issues, but then it would not be able to intervene in situations where it was necessary to do so in order to prevent a danger to public health or public safety.

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<b>Background papers</b>	

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